

FINFISH REGULATIONS			
Species	Open Season (Note Below)	Size in Inches	Daily Possession Limit (lbs.) <sup>1</sup>
Black Sea Bass	1/1-4/30	12	100
	5/1-5/22; 6/1-7/31 (Sun – Thur)		500 (p/w); 200 (o); 100 (l)
	8/1-12/31 (Sun – Thur)		500 (p/w); 200 (o); 100 (l)
Bluefish	All Year		5,000
Blue Marlin	All Year (2,3)	86	1 fish/trip (cannot sell)
Cod	Rolling Closures (4)(5)	22	800 (N of 42°) ; 1,000 (S of 42°)
Dabs (Plaice)	All Year	14	
Dogfish	5/1-10/31		600
	11/1-4/30		300
Eel	(6)	6	
Grey Sole (Witch)	All Year	14	
Haddock	All Year	19	
Halibut	All Year	36	1 fish/vessel
Monkfish	All Year	17 11- tails	
Northern Shrimp	12/19-12/23 (Sun - Thu)		
	12/26-12/30 (Sun - Thu)		
	1/3 - 3/25 (Mon - Fri)		
Pollock	All Year	19	
Redfish	All Year	9	
River Herring	All Year (6) (Mon, Wed, Fri-Sat)		25 fish/day
Sailfish	All Year (2,3)	57	1 fish/trip (cannot sell)
Scup	1/1-4/30	10	10,000
	5/1-10/31 (8) 11/1-12/31		varies by gear type/contact DMF 3,000
Sea Herring			varies by area/contact DMF
Striped Bass	7/11-12/31 (2,7) (Sun)	34	5 fish/vessel
	(Tue – Thu)		30 fish/vessel
Summer Flounder	1/1-4/22	14	2,500 (100 at 75% quota)
	Squid Season 6/10-12/31 (Sun – Thur)		varies by geartype/contact DMF 300 (n); 200 (h)
Tautog	4/16-5/15 7/11-10/31	16	40
Weakfish	All Year	16	
White Marlin	(2,3)	62	1 fish/trip
White Perch		8	
Windowpane		12	
Winter Flounder		12	
Yellowtail Flounder	12/1-3/31; 6/1-9/30	13	750
	4/1-5/31; 10/1-11/30		250

Finfish measured from the tip of the snout or jaw (mouth closed) to the farthest extremity of the tail. For fish with forked tails, the upper and lower fork may be squeezed together to measure the tail extremity.

**Exceptions:** for black sea bass, the tail filament is not included, and billfish are measured from the tip of the lower jaw to the tail fork.

**Regulations subject to change:** Contact DMF for further information.

The taking of eels and seaworms are subject to the control of the cities and towns. Consult local authorities for regulations and permits.

**Notes:**  
Species listed in **bold** require a species specific endorsement to carry out lawful commercial fishing activity (see permit section for further information and a schedule of fees).

- Gear codes: p = sea bass pot fishery; w = weir fishery; o = other fishing gear as permitted; l = lobster trap fishery; n = nets; h = hooks.
- May be taken by hook and line only; spearing, netting, snagging are prohibited.
- No commercial fishing except for swordfish.
- Weight of fillets will be multiplied (x) by 3, and the weight of headless whole-gutted cod will be x by 1.25; cheeks and gonads exempt.
- Gonads not to be > 10% weight of cod aboard vessel.
- Subject to regulation by DMF and local community. Consult local regulations. Sale of river herring prohibited along Connecticut River Watershed.
- Mutilation, except evisceration, of striped bass is prohibited. Discarding of dead, legal size striped bass is prohibited. High-grading striped bass is prohibited.
- No fishing days varies by gear type, contact DMF for details or view 322 CMR 6.28 online at [www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries).

#### FINFISH DEFINITIONS

**Angling:** Fishing with handline or rod, with naturally or artificially baited hook.

**"Coastal Waters" (under the jurisdiction of the Commonwealth of Massachusetts):** include all of Mass. Bay, Cape Cod Bay, Nantucket Sound, the waters within the rise and fall of the tide and extends three miles offshore from an established baseline. It does not include the waters within or above any fishladder or dam, nor the waters above any tidal bound legally established by DEP in streams flowing into the sea.

**Fish:** Any animal life inhabiting the ocean or its connecting waters, including any crustacea or marine fish, whether free swimming or free moving, and any shellfish or seaworms, whether or not embedded in the soil.

**Snagging, Snatching or Hooking:** The taking of fish not attracted by bait or artificial lure with hooks, gangs, or lures, whether baited or unbaited, in manner so as to pierce and hook a fish in any part of the body other than the mouth.

The verb **To Fish** in all of its moods and tenses is to take or attempt to take fish by any means, whether or not such method or means results in their capture.

**Sale of Fish:** A permit is required to sell fish.

**Portions of Streams** flowing into coastal waters may be closed during spawning season for the purpose of protecting smelt and their spawn. Notices of such closings are posted on or near such closed areas giving the bounds thereof.

#### FINFISH PROHIBITIONS

**Trawling, Gillnetting, Seining, Torching** and other fishing methods are illegal in certain areas at certain times of the year. Specific laws and regulations are available from DMF’s Boston office.

**Snagging, Snatching or Hooking** of anadromous fish: including shad, smelt, white perch, striped bass, trout and salmon, but excluding alewives or river herring is strictly prohibited.

The taking of Sturgeon, Atlantic Salmon, all marine mammals, all sea turtles and the Diamond Black Terrapin is prohibited.

The sale of Billfish (except Swordfish) landed in MA is prohibited.

The sale of groundfish harvested by persons aboard vessels that are engaged in for-hire fishing is prohibited.

A minimum of 6 1/2" mesh is required in the cod-end, 6” throughout remainder, by trawlers capable of catching flounder. There are area and season restrictions on mobile gear, contact DMF for details. A minimum of 6 1/2” mesh is required for gillnets fished for roundfish in state waters, and 7” for “tie-down”, flatfish gillnets.

No vessel (except purse seiners) over 90’ registered length may fish in MA waters. Maximum vessel size is 72’ length overall for draggers & scallopers.

Vessels using nets may not fish in coastal waters with disks, rollers, or rockhoppers greater than 12” in diameter.

Mobile gear fishing in coastal waters at night is prohibited.

#### GROUNDFISH CLOSURES IN THE GULF OF MAINE

These closures apply but are not limited to the use of gillnets, otter trawls, line trawls, and hook and line. For further information on regulated gear and exemptions see 322 CMR.

Cape Cod Bay and Massachusetts Bay Closure from Plymouth North to Marblehead (April through May and October through November): Except as exempted in 322 CMR 8.12(7), it is unlawful for commercial fishermen to possess or fish for regulated groundfish species taken from an area within the waters under the jurisdiction of the Commonwealth north of the 42 [degrees] line and south of the 42 [degrees] 30’ line.



Upper Massachusetts Bay and Ipswich Bay from Marblehead to the New Hampshire Border (April through June): it is unlawful for commercial fishermen to possess or fish for regulated groundfish species within the waters under the jurisdiction of the Commonwealth north of the 42 [degrees] 30’ line to the Massachusetts/New Hampshire border.



May Closure East of Cape Cod (May 1 – 31): it is unlawful for commercial fishermen to possess or fish for regulated groundfish species within the waters under the jurisdiction of the Commonwealth east of Cape Cod south of latitude 42 [degrees] and east of longitude 70 [degrees].



For further federal closed areas see:  
<http://www.nero.noaa.gov/nero/regs/infodocs/info4.pdf>

#### SHELLFISH & SEA URCHINS

Species	Closed Season (Note Below)	Possession Limit	Minimum Size
Bay Scallops	4/1-10/1 (1)	10 bushels/day (includes shells)	Well-defined annual growth line
Conchs	(1)	---	2¾" width
Horseshoe Crab	All Year (Mon – Fri) (1)		1,000 horseshoe crabs/day
Surf Clams		400 bushels/48 hrs.	5"
Oysters	(1)		3"
Soft-shell Clams	(1)		2"
Sea Scallops			3½" height
Quahogs	(1)		1"thickness
Sea Urchins	5/1-8/31 (SCUBA) 5/1-10/30 (Mobile Gear) (2)		2" (excludes spines)

**Shellfish Minimum Sizes** are measured along the longest diameter. Species listed in **bold** require a species specific endorsement to carry out lawful commercial fishing activity (see permit section for further information and a schedule of fees).

**Regulations subject to change:** Contact DMF for further information.

**Notes:**

- Subject to modification by Town Regulations
- Sea Urchin minimum size is measured as the longest diameter exluding the spines.

**The taking of shellfish** are subject to the control of the cities and towns. Consult local authorities for regulations and permits. However, DMF has authority to regulate surf clams, ocean quahogs & shellfish taken from certain contaminated areas.

**Sale of shellfish:** To sell shellfish, an individual must possess a town/city commercial shellfish permit, a state commercial fisherman permit endorsed for shellfish, and a shellfish ID card issued by DMF. Commercial harvest of sea scallops by-hand requires an individual to possess a commercial permit endorsed for sea scallop diving.

#### FINFISH & SHELLFISH PERMITS FEES

Commercial Permits:	Resident	Non-Res.
Boat (60-99 feet)	\$195	\$390
Boat (0-59 feet)	\$130	\$260
Individual	\$65	\$130
Shellfish & Rod & Reel	\$55	\$130
Shellfish only	\$40	\$80
Rod & Reel	\$35	\$100
<b>Dealer Permits:</b>		
Wholesale Dealer	\$130	\$260
Wholesale Broker	\$130	\$260
Wholesale Truck	\$130	\$260
Retail Store	\$65	\$130
Retail Truck	\$65	\$130
Retail Boat	\$65	\$130
Bait Dealer	\$65	\$130
<b>Special Permits:</b>		
Aquaculture	\$10	\$20
Contaminated Shellfish		
Master Digger	\$250	\$500
Subordinate Digger	\$100	\$200
Regulated fishery		
American Eel	\$30	\$60

Black Sea Bass	\$30	\$60
Dogfish	\$30	\$60
Horseshoe Crab	\$30	\$60
<b>Special Permits (cont’d):</b>	<b>Resident</b>	<b>Non-Res.</b>
Regulated Fishery (cont’d)		
Northern Shrimp	\$30	\$60
Scup	\$30	\$60
Sea Herring	\$30	\$60
Sea Urchin	\$30	\$60
Striped Bass	\$30	\$60
Surf Clam (Contaminated)	\$30	\$60
Inshore Net	\$30	\$60
For Hire	\$10	\$20
Scientific	\$10	\$20
Shellfish Propagation	\$10	\$20
Shellfish Relay	\$10	\$20
<b>All Duplicates:</b>	<b>\$5</b>	<b>\$7</b>

### FISHERMAN PERMITS

All persons who land and sell finfish, shellfish, lobsters, edible crabs or other living marine resources in Massachusetts must have a commercial fisherman permit from DMF and must sell only to licensed Massachusetts dealers. All commercial permits, except Rod & Reel and Seasonal lobster, may be endorsed for shellfish at no additional cost.

**Boat Permits** allows the taking, landing and sale of fish (to a licensed dealer) and may be endorsed for shellfish. The permit covers everyone aboard the vessel. Price varies with vessel size. No lobsters may be taken.

**Individual Permit** allows the holder only to take, land and sell fish (to a licensed dealer) and may be endorsed for shellfish. No lobster may be taken.

**Shellfish Permit** allows an individual to take, land and sell (to a licensed dealer) shellfish and seaworms. A shellfish ID card, from DMF, and town permit are also required.

**Rod & Reel Permit** allows the holder only, to catch and sell finfish (to a licensed dealer) caught by Rod & Reel only. No other gear types may be used.

### DEALER PERMITS

All persons engaged in the wholesale or retail trade of raw fish, shellfish, lobsters, or bait, whether frozen or unfrozen must have a Dealer permit from DMF and may be subject to inspection from the Department of Public Health. Shellfish dealers must check Food & Drug regulations for tagging and record keeping.

Contact DMF for further information.

### SPECIAL PERMITS

**Regulated Fishery Permit.** (commercial endorsement) is required for commercial fishing in certain areas under certain conditions. Regulated permits are required for dragging, gillnetting, netting in inshore net areas, and for setting fish pots in waters under the jurisdiction of the Commonwealth of Massachusetts. Regulated permits are also required for the commercial harvest of Northern Shrimp, Surf Clams, Ocean Quahogs, Sea Herring Sea Urchins, Fluke, Scup, Striped Bass, Black Sea Bass, American Eels, Dogfish and Horseshoe Crabs. Rules and regulations on these permits are available from the DMF’s Boston office.

**Limited Entry Permit.** The following permits and endorsements are limited in entry and may be available by transfer: Coastal Lobster, Offshore Lobster, Gillnets, Bluefish Gillnet, Mobile Gear Coastal Access, Fish Pot – Scup, Fish Pot – Conch, Fish Pot – Black Sea Bass, Fluke, Surf Clam, Ocean Quahog, and Bluefin Tuna by Purse Seine. For more information on the transfer of limited entry permits contact DMF

**Duplicate Permit** - all requests for duplicate permits must be received in writing stating the circumstances surrounding the loss of the original permit.

**Aquaculture Permit:** To raise marine finfish, applicants must submit a detailed proposal along with this application to the Boston office. The proposal must include species to be raised, supply source, location of operation, type of system, and all other information pertinent to the operation. An annual activities report on finfish aquaculture is required. Applicants that intend to raise shellfish, must first contact the Pocasset office at (508) 563-1779. An annual activities report may be required.

**Master Digger Permit:** Applicants must be at least 18 years of age, and may not possess an “open” area, commercial shellfish license at the same time as a master diggers license. This permit is required for the harvest of contaminated clams from areas classified as “restricted”. Shellfish are depurated at the shellfish purification plant in Newburyport in accordance with regulations and established procedures. In addition to this application form, applicants must also include a \$1,000 surety bond, sign a master digger affidavit, have their vehicle inspected and approved by the Department of Public Health, Division of Food and Drugs, and they must submit a list of their transportation agents (no more than 2) and supervisors (no more than 3). Forms and information for obtaining a master digger license are available from the Boston office (617) 626-1520.

**Scientific Collection Permit:** This permit is required for scientific consultants, educators, researchers, and other government agencies that would like authorization to collect marine species for scientific purposes in waters under the jurisdiction of the Commonwealth of Massachusetts. An annual collection report is also required.

**Shellfish Propagation Permit:** Applicants must contact the shellfish bureau in DMF’s Pocasset office for information and regulations governing shellfish propagation in Massachusetts’ marine waters (508) 563-1779. A town (local) shellfish propagation grant is also required.

**Shellfish Relay Permit:** This permit is required for the relay of contaminated shellfish from one area to another for management purposes. Applicants must contact the shellfish bureau in DMF’s Pocasset office for information and regulations governing shellfish relay in Massachusetts’ marine waters (508) 563-1779.

**Subordinate Digger Permit:** Applicants must be at least 18 years of age, and may not possess an “open” area, commercial shellfish license at the same time as a subordinate diggers license. This permit is required for the harvest of contaminated clams from areas classified as “restricted”. Shellfish are depurated at the shellfish purification plant in Newburyport in accordance with regulations and established procedures. Subordinate diggers must work for a master digger. In addition to this application, applicants must sign a subordinate digger affidavit, which is available from the Boston office (617) 626-1520.

**For further information on any permit type, please contact the Licensing Office 617-626-1520. Applications are available on-line at [www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries).**

### PERMIT PROHIBITIONS

Transferring licenses and permits issued by the Director, unless specifically provided for.

Selling finfish, lobsters or shellfish without a commercial permit and to anyone other than a permitted Massachusetts Dealer.

### CONTROL DATES

**Hook Gear.** After November 4, 2004, any person issued a commercial fisherman’s permit to conduct any fishery using hook-and-line, longline, or handgear within waters under the jurisdiction of the Commonwealth including the commercial striped bass fishery, may be subject to eligibility criteria for determining levels of future access to and allowable harvest of these fisheries.

Commonwealth of Massachusetts

### DIVISION OF MARINE FISHERIES

Division of Marine Fisheries 251 Causeway Street, Suite 400 Boston, MA 02114 (617) 626-1520	Annisquam River Marine Station 30 Emerson Avenue Gloucester, MA 01930 (978) 282-0308
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Pocasset Office 50A Portside Drive Pocasset, MA 02559 (508) 563-1779	New Bedford Field Facility 838 S. Rodney French Blvd. New Bedford, MA 02744 (508) 910-6342 - Fax
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Shellfish Purification Plant Plum Island Newburyport, MA 01950 (978) 465-3553	Lobster Research Station P.O. Box 9 Vineyard Haven, MA 02568 (508)693-0060
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### LICENSING

Boston Office 251 Causeway Street, 1 <sup>st</sup> Floor Boston, MA 02114	(617) 626-1520
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For further information on regulations, agency programs, fisheries research, and licensing (recreational lobster permits may be renewed online), please visit us online at [www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries).

### Commonwealth of Massachusetts DIVISION OF LAW ENFORCEMENT

Hewitts Cove Radio Room North Coastal Bureau Toll Free number	(617) 727-0882 (617) 727-6398 (978) 283-7764 1-800 632-8075
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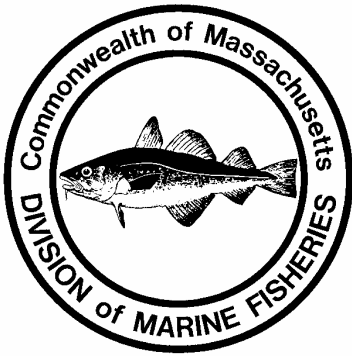
This pamphlet contains abstracts of some of the laws of interest to commercial fishermen and shellfishermen who utilize Massachusetts coastal waters. For more detailed information see Chapter 130 of the Massachusetts General Laws and Code of Massachusetts Regulations, Title 322.

The rules and regulations contained in this abstract are subject to change without notice and do not contain any emergency actions taken by *Marine Fisheries*. Contact *Marine Fisheries* for current regulations.

## *Commonwealth of Massachusetts*

# *ABSTRACT of Commercial Marine Fishing Regulations (Excludes Lobster)*

## September 2005



**Paul J. Diodati,**  
*Director*

**Mitt Romney, Governor**  
**Kerry Healey, Lieutenant Governor**  
**Stephen R. Pritchard, Secretary**  
**David M. Peters, Commissioner**

Updated September 2005